

ENTERED

September 15, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DALE VAUGN

VS

WINGO SERVICE COMPANY, INC.

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CIVIL ACTION NO. H-20-3915


ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court in the above referenced proceeding is Plaintiff's Motion for Partial Summary Judgment (Doc. No. 13); Defendant's Response in Opposition (Doc. No. 14); Plaintiff's Reply (Doc. No. 16) and Judge Sheldon's Memorandum and Recommendation that the Court grant the Motion Partial for Summary Judgment (Doc. No. 25) as to Defendant's exemption defense. Neither party filed objections to the Memorandum and Recommendation and the time for doing so has passed.

Upon review, the Court agrees with the Magistrate Judge's conclusion that Defendant did not meet its burden of proof that Plaintiff is exempted from the requirements of the FSLA. Accordingly, it is hereby

ORDERED that the Memorandum and Recommendation (Doc. No. 25) is **ADOPTED**. Plaintiff's Motion for Partial Summary Judgment (Doc. No. 13) is **GRANTED**.

SIGNED at Houston, Texas, this 15th day of September 2022.



ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE